UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

FILED 07 OCT 29 AM 9:40 CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA BY: DEPUTY

'07 MJ 2515

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| **UNITED STATES OF AMERICA,**<br>Plaintiff,<br>v.<br>**Juan NAVARRO-Carranza**<br>Defendant. | Magistrate Case No.________<br>COMPLAINT FOR VIOLATION OF<br>Title 8, U.S.C., Section 1326<br>Attempted Entry After<br>Deportation |

The undersigned complainant being duly sworn states:

On or about **October 21, 2007**, within the Southern District of California, defendant **Juan NAVARRO-Carranza**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, attempted to enter the United States with the purpose; i.e. conscious desire, to enter the United States at the **San Ysidro Port of Entry**, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Mario Avila, U.S. Customs and
Border Protection Enforcement Officer

Sworn to me and subscribed in my presence this, **29th** day of **October 2007.**

UNITED STATES MAGISTRATE JUDGE

Received at: 10:46AM, 10/22/2007

OCT-22-2007 11:06 P.03

**PROBABLE CAUSE STATEMENT**

I, United States Customs and Border Protection (CBP) Enforcement Officer Mario Avila, declare under penalty of perjury the following to be true and correct:

On October 21, 2007 at approximately 2:11 PM, **Juan NAVARRO-Carranza (Defendant)** applied for admission to the United States at the **San Ysidro, California Port of Entry.** Defendant presented a Mexican Passport with a counterfeit biographical page and a United States non-immigrant visa to a CBP Officer. The CBP Officer noticed that the document appeared to be counterfeit and escorted Defendant to the secondary area for further inspection.

In secondary, Defendant admitted to his true identity and citizenship. Defendant was queried by fingerprint and photograph comparison through the Automated Biometric Identification System (IDENT). IDENT returned a match to the query, identifying Defendant as a citizen of Mexico and a previously deported alien. Defendant's identity was verified by 10-digit fingerprint submission through the Integrated Automated Fingerprint Identification System (IAFIS). IAFIS linked Defendant to Federal Bureau of Investigations and immigration service records.

Further queries through the Immigration Central Index System (CIS) and the Deportable Alien Control System (DACS) confirmed the Defendant was ordered deported from the United States by an Immigration Judge on February 2, 1995 and physically removed on the same date through the San Ysidro Port of Entry. Immigration records indicate Defendant has neither applied for nor received permission from the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security, to legally reenter the United States.

EXECUTED ON THIS 22nd DAY OF **October 2007** AT 8:46 AM.

[signature] 7177

Mario Avila / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page, I find probable cause to believe that the defendant named therein committed the offense on **October 21, 2007** in violation of Title 8, United States Code, Section 1326.

[signature]
MAGISTRATE JUDGE

10/22/07 at 11:19am
DATE / TIME